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ROBERT LE BOUGRE AND THE BEGINNINGS OF THE INQUISITION IN NORTHERN FRANCE

I.

IN few fields of historical investigation has greater advance been made in recent years than in the study of the medieval inquisition. Long a favorite battle-ground of passion and prejudice, occupied chiefly by the controversialist and the pamphleteer, the history of the inquisition has begun to yield to the methods and spirit of modern historical science; and while the issues which it involved are not always easily separable from those of our own day, there has been a noticeable gain, not only in the critical accumulation of knowledge which reveals the real workings of the inquisition, but in the application to the medieval church of the historical spirit, which seeks neither to approve nor condemn an institution but only to understand it in the light of its own age. Scholars of many lands have contributed to this result, and it is a source of pride to American students that the work of one of their countrymen, Mr. Henry Charles Lea, still remains, in spite of the active investigations of the fifteen years which have elapsed since its publication, "the most extensive, the most profound, and the most thorough history of the inquisition which we possess."¹ At the same time no one would be slower than its author to claim finality for a work which, with all its enormous research, could not utilize many of the sources now accessible, or profit by the monographic studies upon the inquisition which in 1887 had scarcely begun to appear; and no one has been more ready to welcome the numerous recent contributions to the history of the Holy Office. Of these recent studies, some have dealt with the more general aspects of the inquisition, such as the organization and procedure of its tribunals or their relation to such matters as witchcraft and magic, others have been content to examine more closely its vicissitudes in the various countries of Europe and America. These general and local investigations can never be wholly independent, and their connection is peculiarly close in the case of an institution like the inquisition which developed slowly and to a certain degree as the result of

¹ Quoted by Fredericq, in his essay on the *Historiographie de l'Inquisition*, prefixed to the French translation of Lea's *History of the Inquisition in the Middle Ages* (Paris, 1900). A German translation of Lea is announced.

experiments carried on in different places at the same time, and which it is consequently impossible to understand as a whole without examining the varying conditions which affected it in different countries. This is particularly true of the formative period of the thirteenth century, and it is with this period and with the comparatively neglected field of northern France that the present article is concerned. The necessity for the inquisition in the north was at all times small, when compared with the grave situation which confronted the church in Languedoc, and its history is naturally of far less importance. Still, the wide prevalence of heresy in the south and the heroic measures which were found necessary for its extermination were to a certain extent abnormal, and are apt to create a false impression of the conditions which called the papal inquisition into existence. The naturalness, one may almost say the inevitableness, of the rise of the papal inquisition appears much more clearly if studied under more normal conditions, in a field which presented no exceptional difficulties to the operation of the older system. Some account of the early history of the inquisition in the north will be found in the general work of Lea, in Tanon's useful study of inquisitorial procedure in France,¹ and in Fredericq's admirable history of the inquisition in the Netherlands.² It is hard gleaning after such scholars as these, yet their somewhat incidental treatment of northern France and the additional material that is now available upon the subject may perhaps justify a more special study. I shall deal briefly with the period preceding the introduction of the papal inquisition, and shall then treat more at length the general history and the procedure of the inquisition under the first papal inquisitor, the Dominican friar, Robert le Petit, better known by his popular name of Robert le Bougre.³

¹ *Les Tribunaux de l'Inquisition en France*. Paris, 1893.

² *Corpus Documentorum Inquisitionis Haereticæ Pravitatis Neerlandicæ*. Ghent and the Hague, 1889 ff. *Geschiedenis der Inquisitie in de Nederlanden*. *Ib.*, 1892 ff. Many of the documents in the *Corpus* were already in print, but I shall frequently refer to this collection because of its convenience.

³ The only special study of Friar Robert is the monograph of the late Jules Frederichs, a pupil of Fredericq, entitled *Robert le Bougre, Premier Inquisiteur Général en France*, and published as the sixth fascicule of the *Recueil de Travaux* of the Faculty of Philosophy of the University of Ghent (32 pp., Ghent, 1892). So far as it goes, this is a very creditable piece of work, being particularly useful for events in Flanders and the adjacent regions, but its author overlooked several important sources of information. The accounts in Fredericq (*Geschiedenis*, I. 42-59) and Tanon (113-117), accept Frederichs's results. Other brief accounts are in Lea, II. 113-117 (with some corrections in the French translation); Berger, *Blanche de Castille*, 294-296; Tillemont, *Vie de Saint-Louis*, II. 289-293 (remarkably good for its time); and Chapotin, *Histoire des Dominicains de la Province de France* (Rouen, 1898), 216-226. Chapotin's account is the latest, but it is incomplete and careless and contains little that is new.

The sources for the history of the inquisition in northern France, when compared with the materials available for Languedoc, are disappointingly meager.¹ There was here far less to record than in the south and far less system in the records, and even the material that once existed has largely disappeared in the destruction of one kind and another which has wrought such sad havoc with the French archives of the thirteenth century. There is for the north no Collection Doat, with its rich mass of copies from ecclesiastical archives; there are no registers of proceedings like those of the tribunals of Carcassonne and Pamiers or of the inquisitor Bernard de Caux; there are no manuals of procedure like the famous *Practica* of Bernard Gui.² The most that careful search can collect for the north consists of some scattered local charters, a fair number of papal bulls, a few edifying examples garnered into the pious collections of Caesar of Heisterbach,³ Etienne de Bourbon,⁴ and Thomas de Cantimpré,⁵ and the narratives of contemporary chroniclers, whose accounts of local matters are often of considerable value. Of the records of the royal administration under St. Louis, which must once have contained important information regarding the persecution of heresy, nothing remains touching the inquisition save some scattered notices in the royal accounts; the administrative correspondence is gone, even the general ordinance issued by St. Louis for the punishment of heresy in the north has disappeared.⁶ Fortunately the papal documents of the thirteenth century are better preserved, thanks to the numerous originals in local depositories and to the registers so carefully kept by the papal chancery from the accession of Innocent III.; and it is from these more than from any other single source that we derive the greater part of our knowledge of the early history of the papal inquisition and—so

¹ For their special kindness in the course of my investigations at Paris my thanks are particularly due to M. Léopold Delisle, director of the Bibliothèque Nationale, and to M. Lucien Auvray, of its department of manuscripts, to Professor Élie Berger, of the École des Chartes, and to M. Auguste Coulon, of the Archives Nationales. At Rome, Mr. J. A. Twemlow of the English Public Record Office has given valuable assistance.

² On these see Charles Molinier, *L'Inquisition dans le Midi de la France*, and *Études sur quelques Manuscrits des Bibliothèques d'Italie*; Douais, "Les Sources de l'Histoire de l'Inquisition dans le Midi de la France," in the *Revue des Questions Historiques* for October, 1881, and *Documents pour servir à l'Histoire de l'Inquisition dans le Languedoc*.

³ *Caesa'ii Heisterbacensis . . . Dialogus Miraculorum*, ed. Strange, Cologne, 1851.

⁴ *Anecdotes Historiques, Légendes, et Apologues tirés du Recueil Inédit d'Étienne de Bourbon*, ed. Lecoy de la Marche, Paris, 1877. Étienne was himself an inquisitor.

⁵ *Bonum Universale de Apibus*, Douai, 1627. Cf. Berger, *Thomae Cantimpræ Bonum Universale de Apibus quid illustrandis Saeculi Decimi Tertii Moribus Conferat* (Paris, 1895), and Kaufmann, *Thomas von Chantimpré* (Cologne, 1899).

⁶ Fredericq, *Corpus*, II., Nos. 20, 55; *Geschiedenis*, I. 111-113.

scarce are local documents relating to heresy—much of our knowledge of the later history of the episcopal inquisition as well. Still the registers, whose publication in recent years has been of the greatest assistance to all students of the thirteenth century,¹ sometimes fail us when we most need their aid; all bulls were not registered, and many important acts of the papal administration were issued through legates or subordinate bureaus whose records have for the most part disappeared.²

The existence of heresy in the north of France can be traced back as far as the early part of the eleventh century, when heretics were discovered and punished at Orleans, Arras, and Châlons-sur-Marne, and as time goes on heretics are found in most parts of the north, even in regions as remote as Brittany.³ These heretics were for the most part Manicheans who had passed westward and north-

¹ The registers of Innocent III. have been in print since the seventeenth century, those of Honorius III. have recently been edited by Pressutti, while the publication of the registers of the other Popes of the thirteenth century is rapidly advancing under the auspices of the French School at Rome. For the years from 1198 to 1255 the entire series of registers is in print with the exception of the last four years of Gregory IX., Auvray's edition of the registers of that Pope, so important for the history of the inquisition, not having as yet advanced beyond 1237. For the remaining years of Gregory IX. the copies from the registers contained in the Collection Moreau at Paris and the volumes at the Vatican have been searched. Of the older collections of papal bulls the most important for the study of the inquisition is of course the *Bullarium Fratrum Praedicatorum* of Ripoll; a more complete calendar of bulls relating to the Dominicans is being published in the *Analecta Ordinis Fratrum Praedicatorum* (Rome, 1893 ff.).

² From one of these bureaus valuable documents, some of them relating to the inquisition, have been preserved in a collection of forms of the papal penitentiary discovered and published by Mr. Lea in his *Formulary of the Papal Penitentiary* (Philadelphia, 1892). There is no evidence that any of the documents contained in the formulary are subsequent to 1238, and so far as they can be dated they fall within the pontificate of Gregory IX. The collection is ascribed in the title to a cardinal priest "magister Thomasius," whom Mr. Lea (p. xxxviii) identifies with Jacobus Thomasius Gaetanus, cardinal priest of St. Clement from 1295 to 1300. This cardinal, however, would seem to have been known as "dominus Jacobus" (Baumgarten, *Camera Collegii Cardinalium*, 105, 108), and it would be remarkable that a collection composed at the very end of the thirteenth century should contain no forms later than Gregory IX. Souchon (*Historische Zeitschrift*, LXXIII. 87) makes the plausible suggestion that the compiler was the famous Thomas of Capua, who is mentioned in certain of the forms.

This conclusion regarding the earlier date of the formulary in Mr. Lea's possession is confirmed by an examination of another formulary of the penitentiary contained in a MS. of the fourteenth century in the library at Tours (MS. 594, ff. 2-73). This is a more extended collection, including most of the forms in Mr. Lea's MS.—which would seem to have served as the basis—and a large number of others, many of which refer to events in the later thirteenth century and the pontificate of Boniface VIII. With two exceptions, the forms relating to French heretics are repeated from the earlier formulary but the proper names and initials are usually omitted.

³ On the early history of heresy in northern France see the excellent pioneer work of Charles Schmidt, *Histoire et Doctrine de la Secte des Cathares ou Albigeois* (Paris, 1849), I., 24-50, 86-94; Havet in the *Bibliothèque de l'École des Chartes*, XLI. 498 ff.; Lea, I. chs. 2 and 3.

ward from Italy and Provence along the great lines of trade, just as their predecessors may have followed the routes of Balkan commerce into Italy,¹ and they were most numerous among the classes that travelled most, the merchants and artisans of the towns. Their chief centers in the north were in French Burgundy and the Nivernais, in Champagne, whose fairs constituted the great international market of the twelfth and thirteenth centuries and brought together large numbers of traders from Italy and the north,² and in Flanders, where the development of manufactures attracted considerable bodies of workmen from a distance and crowded them in towns for whose religious welfare the older ecclesiastical organization made no adequate provision.³ So popular did the dualistic doctrines become among the weavers that the name *textor* became a synonym for heretic,⁴ while suspicion easily fell upon the Flemish merchants by reason of their intercourse with the south and of the popular association of heresy with usury.⁵ The Waldensian element in the north of France was of later origin than the Manichean and of much less importance. Adherents of this sect are found in several neighboring cities of the empire, such as Metz, Toul, Strassburg and Besancon,⁶ and a later writer states that it was possible for a Waldensian journeying from Antwerp to Rome to spend every night with people of his faith,

¹ Cf. Karl Müller, *Kirchengeschichte*, I. 495; and on the predominance of the Catharan form of heresy in the north see Charles Molinier in the *Revue Historique*, XLIII. 167. Most of the places mentioned in the eleventh and twelfth centuries as seats of heresy in the north lie directly on the great trade routes, as may be seen by examining the map of overland trade routes at the end of Schulte's *Geschichte des mittelalterlichen Handels und Verkehrs zwischen Westdeutschland und Italien* (Leipzig, 1900). That the Albigensian Crusades also scattered heretics northward is altogether likely (Lea, II. 113).

For instances of the close connection between the heretics of northern France and those of Italy see Fredericq, *Corpus*, I. No. 2; Albericus in *Monumenta Germaniae Historica, Scriptores* (henceforth M. G. H. SS.), XXIII. 940, 944; Mousket, *Chronique Rimée*, verses 28873, 28996; *Historiens de France* (henceforth H. F.), XVIII. 726; and the papal bulls in Auvray, *Régestes de Grégoire IX*, No. 1044, and Chapotin, *Histoire des Dominicains de la Province de France*, 224.

² On the central position of the fairs of Champagne at this time see Schulte, I. 156, 160. On Flemish merchants at the fairs see Bourquelot, *Études sur les Foires de Champagne*, I. 139-141, 191 ff.; Pirenne, *Histoire de Belgique*, 251. Among the various recent discussions of the intercourse of Italian merchants with Champagne, see particularly Paoli, *Siena alle fiere di Sciampagna* (Siena, 1898). Champagne was also of great importance in the woolen industry (Schulte, I. 127).

³ Karl Müller, *Kirchengeschichte*, I. 493, 557; Pirenne, *Histoire de Belgique*, 333.

⁴ Pirenne, I. c.; Schmidt, I. 43, 47, II. 281; Du Cange under "Textores."

⁵ Persecution of merchants for heresy at Lille and Arras in Mousket, v. 28988; Fredericq, *Corpus*, I. No. 121. The association of heresy with usury is illustrated by Matthew Paris, *Chronica Majora*, III. 520, where he is speaking of Flanders. On the prevalence of usury in Flanders see M. G. H. SS., XXIV. 309, XXVIII. 442; Auvray, *Régestes de Grégoire IX*, No. 392.

⁶ Haupt, "Waldenserthum und Inquisition," in *Deutsche Zeitschrift für Geschichtswissenschaft*, I. 285 ff.

but exceedingly little is known of them in France.¹ The clearest case is that of a baker of Rheims, named Echard, who was burnt in 1230 or 1231 after condemnation by a provincial council which at the same time felt it necessary to forbid the circulation of Romance versions of the scriptures.²

The discovery and punishment of heresy in the earlier Middle Ages was the duty of the bishop, assisted in the exercise of this, as of his other judicial functions, by the archdeacon and the official.³ In securing information the bishop might avail himself of the machinery of local inquest, inherited from the Carolingian government, which placed at his disposal in every parish a body, usually seven, of *testes synodales*, sworn to reveal whatever they might know or hear of any offense that came within the bishop's jurisdiction. That among such offenses heresy should have a prominent place was in itself natural, and was moreover particularly commanded by various councils, notably the great Lateran council of 1215. After an accusation of heresy had been brought to the bishop, by public presentment or private information—and the vagueness of the chroniclers on this point rarely permits us to determine the method employed in a particular case,—there was still chance for considerable perplexity regarding the subsequent procedure. Cases of heresy were not of common occurrence, and while the canon law contained principles which were capable of application to such cases,

¹ Trithemius, *Annales Hirsaugienses*, ad an. 1230 (edition of 1690, I. 543). The source of the statement is unknown. Müller, *Quellen welche der Abt Trithem im ersten Theile seiner Hirsauer Annalen benutzt hat* (Leipzig, 1871), 30.

² Attention was first called to this council by Hauréau, who discovered and published a passage relating to it in a sermon of Philippe de Grève. See his article, "Un Concile et un Hérétique Inconnus," in the *Journal des Savants*, August, 1889; and his *Notices et Extraits de quelques Manuscrits*, VI. 239-242. That the baker Echard (not Guichard, as Hauréau has it; the MSS. have Ezhardus, Ethardus, Hyecardus, Hezhardus) was a Waldensian appears from the account of his doctrines given in two other sermons of the same preacher, preserved in the libraries of Troyes (MS. 1099, ff. 166, 168) and Avranches (MS. 132, ff. 4, 6v); and is in one of the sermons explicitly stated: *Pauperes a Lugduno quos sequens Ezhardus forniarius, Remensis civis nuper dampnatus* (MS. Avranches 132, f. 4v; MS. Troyes 1099, f. 167).

The date is fixed by the fact that the collection of sermons from which Hauréau's extract is taken (Bibliothèque Nationale, MS. Lat. n. a. 338) forms a series for the ecclesiastical year, extending from September, 1230, to August, 1231, as is shown by the coincidence of the fixed and movable feasts (Lecoy de la Marche, *La Chaire Française au Moyen Age*, Paris, 1886, p. 327). The sermon relating to Echard was preached on Holy Thursday at Paris, those in the other MSS. in the week following Trinity at Laon and Bruyères; and as the condemnation by the council is referred to as something recent, it must fall early in 1231 or late in the preceding year. Other indications in the collections of sermons point to the same period.

³ On the organization and procedure of the episcopal inquisition see particularly Lea, I. 305-315; Tanon, 255-325; Hinschius, *Kirchenrecht*, V. 337 ff., 425 ff. What is given below is of course only a very brief outline, and no attempt is made to treat the various legal questions involved.

the local prelate had few precedents to guide him as to the procedure to be followed or the penalty to be inflicted—indeed the preliminary question as to what constituted heresy might often puzzle any one but a theological expert. It is therefore not surprising to find the French bishops seeking the advice of their fellow prelates,¹ turning to a papal legate, if one happened to be near, or even consulting the Pope himself.² The procedure was deliberate—at times too deliberate for the patience of the people, who in some instances lynched those whom the bishops sought to protect,³—and apparently an effort was made to give the accused a fair trial as that was then understood. The examination was often conducted in the presence of a number of bishops,⁴ or even an organized church council,⁵ and mention is sometimes made of the presence of skilled jurists or masters in theology as well.⁶ When the matter of checking the spread of heresy was first taken up by the Popes, no fundamental change was made in the system just described. The legislation of Lucius III. and Innocent III., besides defining heresy more sharply and requiring active assistance on the part of the secular power, was directed primarily toward increasing the responsibility of the bishop and empowering him to proceed against suspected persons on his own initiative, by virtue of his official authority, without waiting for formal accusations.⁷ Under Innocent III. there

¹ Examples in Fredericq, *Corpus*, I. Nos. 3, 46, 48; H. F. XII. 266.

² As at Liège in 1145 (Fredericq, *Corpus*, I. No. 30), Arras in 1153 (*ib.* 32), and Rheims in 1162 (*ib.* 36).

³ The instances will be found in the *Bibliothèque de l'École des Chartes*, XLI. 507, 515; or in Tanon, 15.

⁴ As at Yézelay in 1167 (H. F. XII. 343) and in the persecutions at La Charité.

⁵ Examples are: Liège, 1135 (Fredericq, *Corpus*, I. No. 25); Sens, 1198 (H. F. XVIII. 262); Dijon, 1199 (Hefele, *Conciliengeschichte*,² V. 798); Paris, 1201 and 1210 (*ib.* 801, 861); Trier, 1231 (Fredericq, *Corpus*, I. No. 82); Rheims, 1230 or 1231 (see above, p. 442).

⁶ Potthast, 693, 4197; M. G. H. SS. XXVI. 275. On the evidence used in the earlier French cases see Tanon, 275, 303 ff., 324. Another example of the use of witnesses in Hauréau, *Notices et Extraits de quelques Manuscrits*, I. 178. The application of canonical purgation was more common than Tanon states; see the instances of its employment for laymen at La Charité in Auvray, *Régestes de Grégoire IX*, 1044, 2825; Potthast, 10044. In the best known case, that of the dean of Nevers in 1199 and 1200 (Potthast, 693, 1124, 1577), it appears that the accused was restored to office; his signature as dean is found in a charter of the year 1200, according to Parmentier, *Histoire sommaire de Nosseigneurs les Evêques de Nevers* (MS. in the Archives de la Nièvre), I. 102.

⁷ On the episcopal inquisition and the Popes see, besides the works cited above, the chapter in Fredericq's *Geschiedenis* (I. ch. 2); and on the obligations of the bishop, Henner, *Beiträge zur Organisation und Kompetenz der päpstlichen Ketzergerichte* (Leipzig, 1890), 47. The canons of the council of Verona and the Lateran council of 1215 which relate to heresy will be found in Fredericq, *Corpus*, I. Nos. 56, 68. For the development of the so-called official procedure on the part of the bishop, which was by no means limited to cases of heresy, the eighth canon of the Lateran council (*Corpus Juris Canonici*, ed. Friedberg, II. 745) is also important. Cf. Hinschius, *Kirchenrecht*, V. 349 ff.

was a significant growth in the number of appeals from bishops' sentences, and occasionally, in Languedoc, papal legates were sent out to supplement the local authorities, but no new organization was introduced, and the episcopal inquisition remained until the time of Gregory IX. the only regular machinery for the repression and punishment of heresy.

The practical workings of the episcopal inquisition were frequently tested in the later twelfth and earlier thirteenth centuries in northern France.¹ In the ecclesiastical province of Rheims, within whose borders were to be found the principal industrial and commercial centers of the north, a council met as early as 1157 to legislate against the Manichean weavers, "men of the lowest class who move frequently from place to place and change their names as they go,"² and within the next half century numerous adherents of this sect were condemned in this region, particularly in Flanders, whence heretics fled to Cologne and even as far as England.³ Archbishop Guillaume I., who was also cardinal legate, and Count Philip of Flanders particularly distinguished themselves in these persecutions, yet heretics appear again at Soissons in 1204, at Arras in 1208, and at Cambrai in 1217,⁴ while in 1230 it was found necessary to convene a council of the province in order to forbid the circulation of Romance versions of the Scriptures and condemn the Waldensian errors of the baker Echard.⁵ At Paris in 1210 the bishop took the initiative in the proceedings against the followers of Amauri de Bène, who were then examined and condemned by a provincial council, and burnt by authority of Philip Augustus.⁶ The same council pronounced against the doctrines of Amauri and others, a precedent which was followed some years later by a council of the same province,⁷ and early in the reign of St. Louis a Fran-

¹ Many of the instances cited below will be found, often narrated at greater length, in Schmidt, I. 86-94, 362-365; Havet, *Bibliothèque de l'École des Chartes*, XLI, 511 ff.; Lea, I., 130, 131, 307 ff.; Fredericq, *Geschiedenis*, I., 21 ff.

² Fredericq, *Corpus*, I. No. 34.

³ Fredericq, *Corpus*, I. Nos. 36-38, 40-44, 46, 48-55, II., 9, 10, 17; Ralph of Coggeshall, ed. Stevenson, 121 ff.; Frederichs, "De Kettervervolgingen van Philips van den Elzas," in the *Nederlandsch Museum* for 1890, 233-245. Frederichs places in 1160 the council at Oxford which condemned the Flemish heretics, evidently failing to observe the evidence on this point contained in the Assize of Clarendon.

⁴ H. F. XVIII., 713; Fredericq, *Corpus*, I., Nos. 64, 69.

⁵ Hauréau, in the *Journal des Savants* for August, 1889, and in his *Notices et Extraits de quelques Manuscrits*, VI. 240. See above, p. 442.

⁶ See in particular the *Chartularium Universitatis Parisiensis*, I. Nos. 11, 12; Caesar of Heisterbach, ed. Strange, I. 304 ff.; H. F. XVII. 83, XIX. 250; M. G. H. SS. XXVI. 275. References to the numerous modern discussions concerning the doctrines condemned in 1210 will be found in Mandonnet, *Siger de Brabant* (Freiburg, 1899), xxvii-xxxi.

⁷ Hefele-Knöpfner, V. 933; *Chartularium Universitatis Parisiensis*, I. No. 50.

ciscan who preached heresy at Paris was condemned by a papal legate.¹ No ecclesiastical authority is mentioned in the accounts of the heretics who were burnt at Troyes in 1200 and 1220² and at Orléans about the same time;³ those who appeared in 1206 in Brittany were reported by the parish priest directly to the Pope, who referred the matter to the archdeacon of St. Malo and two abbots.⁴ In the east, in the dioceses of Auxerre and Nevers and the adjoining portions of the dioceses of Langres and Autun, cases of heresy were of more frequent occurrence, and called for constant watchfulness on the part of the bishops. Appearing in this region first in 1167 at Vézelay, where several were condemned at the instance of the abbot of the monastery,⁵ the heretics soon spread their teachings in the neighboring lands of French Burgundy and the Nivernais, where they numbered among their converts knights and wealthy bourgeois as well as men and women of the lower classes and even brought suspicion, at Nevers, upon the abbot of St. Martin's, the dean, and one of the canons of the cathedral. The whole machinery of the episcopal inquisition was turned against them—the preaching of Foulques de Neuilly, the active efforts of the Archbishop of Sens and the bishops of the region, the authority of provincial councils, the aid of the secular arm⁶—and the zeal of Bishop Hugues of Auxerre gained for him the title of “hammer of heretics,”⁷ yet in spite of conversions and penances and sentences of death the infection remained.⁸ For a time it seemed as if some impression had been made upon the chief stronghold of the movement, the town of La Charité-sur-Loire, yet after the death of

¹ H. F. XVIII. 319, XXI. 598.

² M. G. H. SS. XXIII. 878; Caesar of Heisterbach, I. 307.

³ *Enquête* of the time of St. Louis concerning the king's justice at Orléans: Hugo de Fossatis iuratus dixit quod vidit in tempore Manasseri episcopi quendam hominem dampnatum pro incredulitate de quo dominus rex fecit iudicium secularem per ignem. Archives Nationales, JJ. 26 (the so-called “Register E of Philip Augustus”), f. 277. The bishop was probably Manasses de Seignelay, 1207–1221.

⁴ Potthast, 2941.

⁵ H. F. XII. 343, 345.

⁶ Hervé, Count of Nevers, who died in 1222, is called “hereticorum precipuus persecutor.” *Histoire Littéraire de la France*, XXXII. 530; Vincent de Beauvais, *Speculum Historiale* (Douai, 1624), IV. 1275.

⁷ See his biography in H. F. XVIII. 726, and Duru, *Bibliothèque Historique de l'Yonne*, I. 433; and cf. Robert d'Auxerre in H. F. XVIII. 273, or M. G. H. SS. XXVI. 270.

⁸ On the heretics of the Nivernais see the other passages in the chroniclers just cited (H. F. XVIII. 262, 264, 729; M. G. H. SS. XXVI. 258, 260); also H. F. XIX. 7; Potthast, 693, 745, 1124, 1577, 1678, 1909, 2131; and the bulls cited in the following notes. The *Cartulaire du prieuré de La Charité-sur-Loire* published by Lespinasse (Nevers, 1887) and the charters from La Charité in the Bibliothèque Nationale (MSS. Lat. n. a. 2274, 2275) do not appear to contain anything on the subject.

For cases in the diocese of Langres see Potthast, 4197, 4700; Auvray, 1078.

Bishop Hugues in 1206¹ the fugitives returned and many of the converts relapsed into their old ways, so that within two years the Pope was obliged to send the new bishop of Auxerre and the bishop of Troyes against them.² The new inquisitors did diligent service, among other things promulgating a set of statutes "to confound the abuses of heresy and strengthen the state of the faith,"³ and for several years nothing is heard from the scene of their labors. In 1231, however, Gregory IX. discovered that heresy had again lifted its head at La Charité, under the protection of certain nobles of the region, who were at open feud with the prior and temporal lord of the town,⁴ and this time the Archbishop of Bourges, who had some reputation as a successful persecutor, was commissioned to act with the bishop of the diocese.⁵ Traces of the activity of these inquisitors are found in various documents in the papal registers,⁶ yet in January 1233, the Pope found it necessary to arouse the local authorities to action against a knight of La Charité who had fallen under suspicion because of the heresy of his brothers and his supposed connection with the attacks of the Count of Nevers on the neighboring monasteries,⁷ and some weeks later he appealed to the French king on behalf of the prior in his valiant struggle to maintain the faith in the face of the hostility of neighboring lords.⁸ Near the end of February Gregory IX., notwithstanding his earlier laudations of the French church as the "unshaken foundation of the faith,"⁹ was obliged to confess that heresy was spreading "in a certain part of the circumference of the kingdom,"¹⁰ and in April of the same year, the reports of Friar Robert indicating an even worse state of affairs at La Charité than had been supposed, the papal inquisition was introduced into the north.

¹ For a case in this year see Potthast, 2787.

² Potthast, 3271.

³ Auvray, 637.

⁴ The prior of La Charité had possessed temporal jurisdiction over the town since 1174. Lespinasse, *Cartulaire*, 160.

⁵ Auvray, 637. The Archbishop died in 1232. Cf. his epitaph in Labbe, *Bibliotheca Nova Manuscriptorum* (II. 109), beginning, *Exuperans hereses*.

⁶ Sentence of exile and confiscation (Auvray, 997); canonical purgation of a citizen of Souvigny (Auvray, 2825; Potthast, 10044); acquittal of a woman of La Charité (Coll. Moreau, 1191, f. 25). The examination of a canon of Chablis by the bishops of Auxerre and Nevers and the abbot and dean of Vézelay (Auvray, 1078), belongs to the same period.

⁷ Auvray, 1044. The bishop's act of summons to the suspected knight, Colin Morand, is cited by Lebeuf, *Mémoires concernant l'Histoire Civile et Ecclésiastique d'Auxerre* (ed. Challe et Quantin), I. 411.

⁸ Bull of February 28, 1233, Auvray, 1145. Cf. *ib.*, 1144.

⁹ Bull of July 18, 1227, Auvray, 133.

¹⁰ Bull of February 27, 1233, Auvray, 1152.

In spite of repeated effort the episcopal inquisition had plainly failed to accomplish the suppression of heresy at La Charité, and while we cannot be sure that it was given an equally fair trial in Champagne and Flanders, it is clear from the numerous convictions secured by the first papal inquisitor sent to those regions that the bishops had had no greater success in the other infected areas of the north. That the indifference of the bishops and their absorption in secular affairs may have had some share in this result, it would be idle to deny. But when a man of the energy and persistence of Hugues de Noyers was unable to eradicate the new beliefs from his diocese, it would seem that we must, in part at least, look elsewhere for an explanation. For one thing the duties of the episcopal office were so manifold that no bishop could give more than intermittent attention to the investigation of heresy.¹ Then, if one bishop began a persecution, it was easy, in the absence of concerted action, to find at least temporary safety in another diocese,² while if heretical doctrine were entirely driven out of a district, it might immediately be reintroduced by some wanderer from Lombardy or Languedoc. The fact is that heresy had become more than a local problem and by the thirteenth century something more than local means was necessary if it was to be suppressed. The system of procedure, too, was slow and cumbrous, having been for the most part taken over from the practice in dealing with offenses where the rights of the accused were more carefully regarded, and satisfactory proof of heresy was particularly difficult to obtain by ordinary means, while the growing tendency to appeal to Rome or consult the Pope introduced a further element of delay. The disadvantages of the current procedure—and the evident desire of Innocent III. to do justice—are illustrated by the case of certain inhabitants of La Charité. Excommunicated as suspects by the bishop of Auxerre, they succeeded, in 1199, in maintaining their orthodoxy before the papal legate, Peter of Capua, who proclaimed their release from excommunication in a council at Dijon and assigned them a penance which evidently included pilgrimage to Rome. Some however were too old or too feeble to undertake this journey, and Innocent III. directed the bishops of Autun and Mâcon and the abbot of Cluny to pass upon their case and to protect from further molestation those who had satisfactorily performed the penance. The bishop

¹ On this point cf. Fredericq, *Corpus*, I. Nos. 75, 89.

² Gregory IX. says of the heretics of La Charité: Si quis vulpes incipiat prosequi, ut jurisdictionem ejus effugiant vel evitent, ad aliam se transferunt regionem. Bull *Gaudemus*, Fredericq, *Corpus*, I. No. 90. So in the time of Innocent III. residents of the diocese of Auxerre would declare that they belonged in the diocese of Bourges or that of Nevers. Potthast, 3271.

of Auxerre still continued his accusations, carrying the matter to two other sets of judges and finally bringing the Archbishop of Sens and certain of his suffragans to La Charité to conduct the examination. When the accused remained away on this occasion, as they had at the time of the bishop's previous visits to the town, and failed to appear at a hearing set for them at Auxerre, the Archbishop condemned them as heretics. The case was then carried to the Pope, who referred it to the Archbishop of Bourges, the bishop of Nevers and the abbot of Cluny, with instructions to publish the men in question as heretics and hand them over to the secular power unless they made public confession of their error and gave security for their future orthodoxy.¹ After some months the archbishop and abbot—the bishop of Nevers having died—reported their findings to the Pope, at the same time sending to Rome three of the accused whom the archbishop had adjudged orthodox, and in May, 1203, four years after the proceedings had begun, the Pope sent back the parties with instructions to the judges delegate to prescribe penance for them and continue the examination of the other cases.² This affair may have run on longer than was usual,³ but where such delays could occur, it is obvious that if the medieval view of the enormity of the crime of heresy and the absolute necessity of its extermination were to continue to prevail, some more effective agency for the purpose must be devised. What was evidently needed was a set of inquisitors who could give their whole time and energy to the detection and punishment of heresy, inquisitors able to act promptly and without regard to diocesan boundaries, locally powerful, yet independent of local control, the willing instruments of the papal policy, yet not hampered by the delay of frequent appeals to Rome—in short just such an institution as the popes ultimately organized in the Dominican inquisition.

We cannot too often remind ourselves that the papal inquisition “was not an institution definitely projected and founded, but was moulded step by step out of the materials which lay nearest to hand fitted for the object to be attained.” A pope who had the extermination of heresy very much at heart found the old methods ineffective; “the preaching friars were the readiest instrument within reach for the accomplishment of his object”; he tried them, and

¹ Bull *Accedentes* of May 12, 1202, Potthast, 1678.

² Bull *Qualiter* of May 21, 1203, Potthast, 1909.

³ An equally convincing illustration of the delays of the procedure under Innocent III. is afforded by the case of a certain canon of Langres and priest of Mussy who appears in the papal registers in 1211 and 1213. Potthast, 4197, 4700; Lea, I. 307. If this person is the same as the heretical priest of “Musciac” mentioned in a papal bull of 1233 (Auvray, 1044) he had great success in eluding the inquisition.

the success of the experiment "led to an extended and permanent organization."¹ The episcopal inquisition was not thereby abolished, indeed the Dominicans were instructed to act in conjunction with the bishops, and it was only considerably later that a new set of tribunals for the trial of heresy came into existence, with their own distinct organization and rules of procedure.² How this development came about and how it was related to the centralizing tendencies within the church, it is no part of our present purpose to examine; our only immediate interest is to observe the events which led up to the introduction of the Dominican inquisition into northern France. The first definite move toward the establishment of a distinctively papal inquisition was made in the territory of the empire, in June, 1227, when Gregory IX. commissioned the fanatical Conrad of Marburg to proceed against the heretics of Germany with the assistance of such associates as he might select,³ and placed the case of certain heretics of Florence in the hand of the local members of the Dominican order.⁴ It was not, however, until early in 1231 that Gregory IX. seriously took up the task of unifying and defining more sharply the ecclesiastical and secular legislation against heresy and compelling its general enforcement throughout Christendom.⁵ The immediate occasion which decided the Pope to action seems to have come then, as at other decisive moments in the history of the church, from the city of Rome. Returning after an absence of some months, Gregory found the city infested with a considerable body of heretics, and in order to facilitate the proceedings against them he had the various provisions of the canon law with reference to the punishment of heresy collected and consolidated, with some modifications, into the so-called "new statutes" of 1231, and at the same time gave his sanction to a series of constitutions drawn up by the senator and people of Rome which made the secular penalties against heresy more severe. In the course of the following summer copies of the new code were sent to the arch-

¹ Lea, I. 328.

² Cf. Hinschius, *Kirchenrecht*, V. 450. It is at the same time true, as Tanon points out (pp. 36, 291), that much of the exceptional character of the penalties and the procedure was in germ before the organization of the Dominican inquisition.

³ Potthast, 7931; Auvray, 109. Conrad had been engaged in the persecution of German heretics in 1224, in connection with the bishop of Hildesheim, and perhaps earlier. The most recent account of his remarkable career is that of Michael in his *Geschichte des deutschen Volkes* (Freiburg, 1899), II. 318 ff.

⁴ Lea, I. 326.

⁵ On the legislation of 1231 see Ficker, "Die gesetzliche Einführung der Todesstrafe für Ketzer," in the *Mittheilungen des Instituts für Oesterreichische Geschichtsforschung*, I. 177 ff., and Winkelmann, *Kaiser Friedrich II.* (Leipzig, 1897), II. 296 ff. The statutes of Gregory and the accompanying Roman legislation will be found in Fredericq, *Corpus*, I. Nos. 79, 80; Auvray, 539, 540.

bishops and bishops throughout the church with instructions to have the papal statutes read in public once a month and the secular constitutions transcribed into the local books of law. In November of the same year the execution of the new statutes at Friesach, in Carinthia, was entrusted to the Dominicans,¹ and early in 1232 the preaching friars engaged in the work of the inquisition were especially commended to the protection of the German princes by both Pope and Emperor.² In this year the Pope also recommends the employment of the Dominicans to the Archbishop of Tarragona,³ and Dominican inquisitors are found acting under papal commissions in Lombardy⁴ and Burgundy.⁵ In France, while some inquisitorial authority had previously been exercised in the south by members of the order,⁶ the definite establishment of the Dominican inquisition dates from April, 1233, when Gregory IX. informed the French bishops that in view of their overwhelming cares and anxieties he had decided to reduce their burdens by sending the preaching friars against the heretics of the kingdom,⁷ and, at the same time that he ordered the Dominican provincial prior to designate preachers against heresy in Provence,⁸ he commissioned Friar Robert and his fellow inquisitors at Besançon to proceed against the heretics of La Charité.⁹

Concerning the early life of the Dominican friar whom Gregory IX. selected as the first papal inquisitor in northern France, our only knowledge is derived from the incidental statements of those who treat of his later career. That he had once been a heretic (*bougre*) is clear from the name, Robert le Bougre, by which he was generally known, and is confirmed by the general agreement of the chroniclers; but beyond this point the accounts are somewhat con-

¹ Winkelmann, *Acta Imperii Inedita*, I. 499, where similar documents of the following year for Mainz and Strassburg are cited.

² Potthast, 8859, 8866; M. G. H. *Constitutiones et Acta Publica*, II. 197; (cf. also on p. 194, the constitution of Frederick II., of February 22, 1232, which brings his earlier legislation against heresy into line with the papal policy).

³ Potthast, 8932.

⁴ Potthast, 9041.

⁵ The bull appointing inquisitors in Burgundy is lost, but its contents are known from a citation in the bull *Gaudemus* of April 19, 1233, and it evidently belongs to 1232. Potthast, 9152; see below.

⁶ Potthast, 9153.

⁷ Bull of April 20, 1233, copied in the Collection Doat (XXXI. 21) of the Bibliothèque Nationale from the Archives of the Inquisition at Carcassonne. Part of it, with date of April 13, was published by Percin, *Monumenta Conventus Tolosani*, III. 92, whence it is reproduced by Fredericq, *Corpus*, I. No. 89 (Potthast, 9143; not in Auvray).

⁸ Potthast, 9155.

⁹ Bull *Gaudemus*, of April 19, 1233. Auvray, 1253; Potthast, 9152; Fredericq, *Corpus*, I. No. 90.

flicting,¹ and it is not certain how much of these stories is fact and how much is the product of ætiological imagination playing about his name. His real name, it has recently been discovered, was Robert le Petit,² so that he would seem to have been a Frenchman, but we know nothing of the time or place of his birth. A work attributed to Matthew Paris makes him the son of a heretic,³ but according to Albericus he left the orthodox faith about the time of the Lateran council of 1215 and followed a Manichean woman to Milan, then famous as one of the principal breeding-grounds of false doctrine. He is said to have remained a member of this sect⁴ for

¹ Most of the contemporary chroniclers treat only of particular episodes in Friar Robert's history. Those of special importance as general authorities for his career are :

Matthew Paris, in his *Chronica Majora* (edited by Luard in the *Rolls Series*, III. 361, 520; V. 247. Ed. Liebermann in the *Monumenta Germaniae Historica, Scriptores*, XXVIII. 133, 146, 326); his *Historia Anglorum* (edited by Madden in the *Rolls Series*, II. 388, 415; and by Liebermann, M. G. H. SS. XXVIII, 411); and the *Abbreuiatio Chronicorum Anglie*, attributed to him (edited by Madden as part of the *Historia Anglorum*, III. 278; and by Liebermann, M. G. H. SS. XXVIII. 448). Liebermann's edition is preferable; Frederichs missed important passages by relying upon the edition of 1640.

Albericus Trium. Fontium, ed. Scheffer-Boichorst, M. G. H. SS. XXIII. 936, 937, 940, 945, also in H. F. XXI. 614, 615, 618, 623. On the composition of this work see Scheffer's masterly introduction to his edition. Albericus was a monk of Trois-Fontaines, in the diocese of Châlons-sur-Marne, and had special opportunities of knowledge regarding Robert's doings in Champagne; some portions of the chronicle in its present form were added by a monk of Huy.

Philippe Mousket, *Chronique Rimée*, verses 28871-29025. Best edited, but with important omissions, by Tobler in M. G. H. SS. XXVI. 804-806; also ed. De Reiffenberg (Brussels, 1836-1838); H. F., XXII. 55-56; Fredericqs, *Corpus*, II. No. 23. Mousket lived at Tournai, where he is mentioned in certain leases of the years 1236 or 1237. On his life and family see DuMortier in the *Compte-Rendu de la Commission Royale d'Histoire de Belgique* (1845), IX. 112-145; and Pirenne in the *Biographie Nationale*, XV. 329.

With these we may for convenience mention a less trustworthy writer who characterizes Robert briefly, Richer de Senones. His *Chronicon* has been edited by Waitz, M. G. H. SS. XXV. 307; this passage is omitted in the older edition of D'Achery.

² Quondam frater Robertus dictus Lepetit. Bull. *Constitutus* of Urban IV., October 29, 1263, published from the papal registers by Chapotin, *Histoire des Dominicains de la Province de France*, 224.

³ *Historia Anglorum*, III. 278; M. G. H. SS. XXVIII. 448. Richer says that as inquisitor he condemned his father and mother to death. M. G. H. SS. XXV. 308.

Finke, in the *Historisches Jahrbuch*, XIV. 335, points out that in the case of Robert it would have been better if the Pope had followed the latter rule of appointing as inquisitors only those of orthodox family and unblemished orthodoxy.

⁴ Circa tempus magni concilii apostatauit, secutusque mulierculam manicheam Mediolanum abiit, et factus est de secta illa pessima per annos 20, ita quod inter eos fuit peccatissimus. Albericus, M. G. H. SS. XXIII. 940. Mousket, vv. 28873-28876:

Et dist quil ot mes a Melans,
Et si eut este par dis ans
En la loi de mescreandise
Pour conoistre et aus et lor guise.

The passage of Albericus is perfectly plain, but Chapotin (*Histoire des Dominicains*, 216, note) makes it say that Robert was a Dominican before his apostasy, and then became a Waldensian.

several years—the chroniclers give the round numbers ten and twenty—and to have risen to the rank of “apostle” among them. Certain it is that he acquired in his earlier years a familiarity with heretics and their ways which, combined with his fiery zeal and ambition, made him particularly terrible as an inquisitor and gained for him the name of the Hammer of Heretics.¹ He was supposed to be able to tell unbelievers by their speech and gestures alone,² and Gregory IX. declared that God had given him “such special grace that every hunter feared his horn.”³ It would also seem that he had acquired something of the learning of his day, for Matthew Paris declares him well educated and a ready and effective preacher,⁴ and Richer calls him *magister* and speaks of his learning and eloquence.⁵ Of the personal character of Friar Robert we have only unfriendly judgments, formed after his fall. Matthew Paris, certainly no admirer of the Mendicant Orders at their best,⁶ finds him false and corrupt, a deceiver and seducer of men worthy of being compared to the leader of the Pastoureaux—a man whose crimes it were better not to mention and who was “turned aside like a deceitful bow” at the last.⁷ He was a man who seemed to have much religion but had it not, says Albericus.⁸ To Richer he was the incarnation of hypocrisy, a wolf in sheep’s clothing, wholly given over to uncleanness and the glory of this world, who did not hesitate to avail himself of magic arts in order to bend people to his will.⁹

The first definite point in Friar Robert’s biography appears in or about the year 1232, when we find him, already a member of the order of preaching friars, appointed on a commission with the Dominican prior at Besançon and a certain Friar William, or Walter, to investigate heresy in Burgundy.¹⁰ It is no longer possible,

¹ Matthew Paris, *Chronica Majora*, III. 361, 520; M. G. H. SS. XXVIII. 133, 147.

² Per solam loquelam et per solos gestus, quos habent heretici, deprehendebat eos. Albericus, M. G. H. SS. XXIII. 940.

³ Bull *Quo inter ceteras* of August 22, 1235. Auvray, 2737; Potthast, 9994; Fredericq, *Corpus*, II. No. 28.

⁴ Vir quidem competenter literatus et in officio predicationis efficax et expeditus, *Chronica Majora*, III. 520; M. G. H. SS. XXVIII. 146.

⁵ Vir doctissimus et eloquio clarus . . . qui tantam habuit gratiam ut nullus ei tunc secundus haberetur. M. G. H. SS. XXV. 307.

⁶ Cf. Plehn, *Der politische Charakter von Matheus Parisiensis*, 45 (in Schmoller’s *Forschungen*, XIV. 3).

⁷ *Chronica Majora*, III. 520, V. 247; *Historia Anglorum*, II. 388; M. G. H. SS. XXVIII. 147, 326, 411.

⁸ M. G. H. SS. XXIII. 940.

⁹ M. G. H. SS. XXV. 307. One is tempted to see an allusion to our inquisitor in the “Frere Robert” whom Rutebœuf mentions together with five other friars in one of his satires on the hypocrisy of the Mendicants (ed. Jubinal, 1874, I. 246; ed. Kressner, 72); but I agree with Jubinal that the names are probably fanciful.

¹⁰ The bull is lost but is known to us from a citation in the bull *Gaudemus* of April

with the materials at our command, to follow the course of the inquisition in Franche-Comté.¹ This portion of the empire never became notorious as a center of heretical activity, and while his authority under the papal bull was limited to the Burgundian lands, we are not surprised to find Friar Robert, early in 1233, seeking a more promising field of labor over the French frontier at La Charité. Acting here as the representative of his official superior at Besançon, Robert began to preach the true faith with such success, so he reported to the Pope, that many of the erring came to him of their own will, presenting themselves for punishment with chains about their necks and offering to give evidence against their associates and even against members of their own families. He found the town a foul nest of unbelief, even fouler than was generally supposed, and discovered that its inhabitants had scattered their dire poison through the whole of northern France, particularly in the neighboring provinces and in Flanders; and he adds, what was undoubtedly one of the serious difficulties in any merely local attempt to suppress heresy, that when pursued the heretics fled to another jurisdiction.²

La Charité not being within the limits of his commission, Robert was obliged to confine his efforts to preaching, and his report to the Pope was evidently made with a view to having his jurisdiction as inquisitor extended to France. Gregory IX. was not averse to more vigorous measures, and in a bull of April 19, 1233, he ordered Robert and his fellow inquisitors of Burgundy to undertake, with the advice of the bishops and in accordance with their previous

19, 1233: Cum enim nos dudum dilectis filiis . . . priori Bisuntino et fratri Willelmo (Ripoll has Wallerio), de ordine fratrum predicatorum, ac tibi nostris dedissemus litteris in mandatis, quod in Burgundia super crimine prenotato sub certa forma cum ipsis perquireretur diligenti sollicitudine veritatem (Auvray, 1253; Potthast, 9152; Fredericq, *Corpus*, I. No. 90). This appointment of inquisitors for Burgundy is evidently subsequent to the decrees of February, 1231, and probably belongs to 1232. The name of the prior at Besançon is not given in the bull; in an act of April, 1233, he appears as "frater W. prior ordinis predicatorum Bisuntinensium" (Bibliothèque Nationale, Coll. Moreau, 863, f. 539 v.)

¹Cf. Lea, II. 119. There are two bulls on this subject from the year 1233, one of May 27 to the suffragans of the Archbishop of Besançon (published by Lea, I. 567, from the Collection Doat, where it is classified under Gregory X.) repeating the instructions recently given to the German prelates for the imprisonment of relapsed heretics (Rodenberg, *Epistolae*, I. No. 514), the other of June 17 answering certain questions of the Dominicans of Besançon (Auvray 1416; Potthast, 9235). I have looked in vain for documents at Besançon, where the Dominicans had been established since 1224 (Richard, *Histoire des Diocèses de Besançon et de Saint-Claude*, I. 473; Chapotin, *Histoire des Dominicains de la Province de France*, 53).

²Our knowledge of Robert's experiences at La Charité rests upon his own statement as reproduced in the bull *Gaudemus* of April 19, 1233 (Auvray, 1253; Potthast, 9152; Fredericq, *Corpus*, I. No. 90). Doubtless he informed the Pope promptly of his labors there, so that they must have fallen in the early months of 1233. The *Circa mundi vesperam* of February 28 (Auvray, 1145) mentions the efforts of the prior of La Charité, but says nothing of Robert.

instructions, "the extirpation of heresy from the aforesaid town and the adjoining regions," invoking if necessary the aid of the secular arm. They were empowered to proceed against harborers of heretics in accordance with the statutes of 1231, and were cautioned against feigned conversions.¹ Having written to the same effect to the provincial prior of the Dominicans in France,² the Pope informed the archbishops and bishops of that kingdom that he had decided to send the friars preachers against the heretics of France and adjacent provinces and would expect the clergy to render them all necessary assistance.³

By these bulls the papal inquisition was regularly set to work in northern France, and the fires of orthodoxy soon began to blaze at La Charité.⁴ We do not know how many were put to death at this time, but that Friar Robert went aggressively to work is evident from the reaction which followed and also from such appeals from his sentences as have come down to us.⁵ One of these may serve to illustrate his methods. A certain Pierre Vogrin, of Souvigny, in the diocese of Clermont, who had been at La Charité at the time of the episcopal inquisition of 1231 and 1232, had cleared himself before the inquisitors by the canonical purgation. Accused again by certain of his enemies, he had satisfied the bishop of Clermont and other prelates of his innocence. A third summons came to him from Friar Robert after his appointment and when Pierre appeared before them and agreed to submit to their jurisdiction, the friar and the bishop of Clermont promised him that he would not be compelled to appear before either of them separately and that the legal procedure would be observed. Notwithstanding this, Robert, without waiting for his colleague, cited to him a dangerous place before the appointed time, publicly threatening to take him and bringing an armed band to the spot, whereupon Pierre prudently staid away and took an appeal to the Pope, sending his nephew to represent him and notify Robert of his appeal. The inquisitor then excommunicated the nephew and suspended him from his benefice—he was a priest—until he should renounce his uncle's defense. Peter then started for Rome, but in spite of his appeal was excommunicated by Robert and a certain Franciscan whom he had pressed into service in place of the bishop of Clermont.⁵

¹ Bull *Gaudemus*, as above.

² This bull has been lost but is referred to in the bull *Quo inter ceteras*, of August 22, 1235 (Auvray, 2737; Potthast, 9994; Fredericq, *Corpus*, II. No. 28).

³ Fredericq, *Corpus* I. No. 89; Potthast, 9143.

⁴ Mousket, vv. 28877 ff.

⁵ Bull of November 8, 1235, to the bishop of Nevers, the Dominican provincial prior, and the archdeacon of Paris, published by Sbaralea in his *Bullarium Franciscanum*, I. 177. and by Auvray, 2825 (Potthast, 10044).

Such open disregard of a bishop and contempt for the findings of predecessors would naturally irritate the higher clergy, already jealous of the growing privileges and influence of the Mendicant Orders. It appears further that Robert did not limit his efforts to the region of La Charité. We find him also in company with another friar, Jacques, on the lands of the Count of Champagne, where he is engaged in a conflict of jurisdiction with the chapter of St. Quiriace of Provins over a certain Gile, nicknamed "the abdess,"¹ whom he had put in prison as a heretic. They style themselves "judges delegated by the Pope against heretics in the kingdom of France,"² and it is evident from what followed that victims were sought in still other dioceses less notorious than that of Auxerre as centers of heresy. "Pernicious activity" of this sort was a direct reflection on the zeal and efficiency of the French bishops, and it is not strange that some of them soon protested to the Pope, declaring that there were no heretics in their dioceses. The documents are lost, but their general tenor is clear from some pointed allusions in later letters of the Pope.³ These objections must have been urged

¹ On Gile "the abdess," compare Albericus, M. G. H. SS. XXIII. 945.

² Frater Robertus iudex contra hereticos mandat regi ut deliberet decano et capitulo Sancti Quiriaci Gilam abbatissam suam, ut dicunt, si ista est.

Nobili viro Theobaldo comiti Campanie et Brie fratres Robertus et Jacobus de ordine Predicatorum, iudices a domino papa contra hereticos in regno Francie delegati, salutem in Domino. Quoniam ex precepto nostro Gilam dictam abbatissam detinetis in carcere, quam venerabiles viri decanus et capitulum Sancti Quiriaci de Pruvino suam asserunt esse mulierem, auctoritate (MS. actum) nobis commissa vobis mandamus quatinus, si est ista sicut dicunt, eam absque contradictione aliqua tradatis eisdem ad custodiendum, et custodes a rebus et domibus dicte G. removeatis, si forte aliquos posuistis.

Datum anno Domini M^oCC^oXXX^oIII^o, die martis ante cathedram sancti Petri [February 21, 1234.] Bibliothèque Nationale, MS. Lat. 5993 A (Cartulary of Champagne known as *Liber Pontificum*), f. 412. Cf. Bourquelot, *Histoire de Provins*, I. 182. There is an incorrect analysis in D'Arbois de Jubainville, *Catalogue des actes des Comtes de Champagne*, No. 2293 (*Histoire des Comtes de Champagne*, V. 332). This is the only document issued by Friar Robert that I have found.

Cf. also the following document relating to the same subject :

Item compromiserunt in bonos super immuratione Gile abbatisse et magna justicia hominum ecclesie sue.

Omnibus presentes litteras inspecturis Gaufridus decanus totumque capitulum ecclesie Beati Quiriaci Pruvinsensis, salutem in Domino. Noverit universitas vestra quod cum illustris dominus Th., Dei gratia rex Navarre et comes Campanie et Brie palatinus, moveret contra nos questionem super inmur[mur]atione Gile dicte abbatisse et rebus eiusdem et super magna justicia hominum nostrorum de Pruvino pro sceleribus suis ad mutilationem membrorum vel ad mur[mur]ationem vel ad mortem dampnandorum et super rebus eorum, tandem in venerabiles viros dominum Petrum de Janicuria et dominum Ansellum de Cremona compromittimus, ratum et firmum habituri quidquid super predictis dicti arbitri pace vel iudicio duxerint statuendum. Datum anno Domini M^oCC^o trecesimo quarto, mense Januario [1235]. MS. Lat. 5993 A, f. 436; analysis in D'Arbois, *Catalogue*, No. 2319.

³ Bulls *Dudum* and *Quo inter ceteras* of August, 1235 (Auvray, 2735, 2736, 2737; Potthast, 9993, 9994, 9995).

with considerable force, for in February, 1234, the Pope, declaring in the midst of an extraordinary mixture of metaphors that he had never intended to authorize their proceedings in regions that were free from taint of heresy, ordered the Dominicans to suspend their functions as inquisitors entirely, except where the archbishop and his suffragans called them in, a course which he warmly recommended to the several archbishops.¹

Accordingly, early in 1234, Robert was obliged to cease his pursuit of heretics. People whom he had imprisoned were still maintained at public expense,² but there is no evidence that any bishop followed the Pope's advice to the extent of employing the terrible inquisitor.³ How the friar occupied himself during this enforced vacation, it is impossible to say. We know that early in 1234 a royal messenger was sent to him "for the bailli of Bourges,"⁴ and that in November of the same year Gregory IX. addressed him at Paris. Evidently Robert remained in full favor with the Pope and with St. Louis, for the Pope appealed to him to use his influence to

¹ Bull *Olim intellecto* to the prior provincial of the Dominicans, February 15, 1234 (Auvray, 1764—limited in this form to the province of Sens). The same, February 4, 1234, to the Archbishop of Sens and his suffragans (Auvray, 1763; Potthast, 9388). The same, February 4, 1234, to the Archbishop of Rheims and his suffragans (Potthast, 9386; Fredericq, *Corpus*, I. No. 93; not in Auvray). The same, without date, to the dean and chapter of Bourges—the see was vacant—and the bishops of the province, in the cartulary of the chapter of Bourges (Bibliothèque Nationale, MS. Lat. n. a. 1274), p. 42. This copy, which is headed "De revocatione jurisdictionis fratris Roberti," differs from the other bulls in revoking the authority of Robert alone, not of the Dominican inquisitors generally. The explanation would seem to be that while the diocese of Bourges itself was in the north, adjoining that of Auxerre, the other dioceses of the province were in the south, where the Dominicans were working under different commissions. The copy in the cartulary breaks off about the middle, just before the word "oculis." On the authorship of this cartulary see Delisle, in the *Bibliothèque de l'École des Chartes*, LX. 7-44.

² At St. Pierre-le-Moutier, not far from La Charité. Prévôt's account, Ascension term, 1234, in H. F. XXII. 570 J. From the documents published above it appears that Gile "the abess" was likewise in prison at this time. Heretics are also mentioned in the royal accounts of All Saints' term, 1234 (Sens), and Candlemas term, 1235 (Paris), in the *Bibliothèque de l'École des Chartes*, XXVIII. 621 (Cf. Tillemont, *Histoire de St. Louis*, II. 292); and in the account of the king's household, Ascension term, 1234, in H. F. XXI. 227 F, 237 B. DuCange, under "Bulgari," interprets the words "bougri" and "bogrui" in such passages as meaning usurers. It is often difficult to determine in a given case whether the word refers to heresy, usury or unnatural vice; one of these crimes was frequently supposed to involve the others.

³ Albericus, M. G. H. SS. XXIII. 936, speaks of Robert's activity as inquisitor "throughout France" in 1234. But this is very doubtful, unless it applies to the beginning of the year. Chronological exactness is not always the strong point of this chronicler.

⁴ "Simon de Sancto Germano, ad fratrem Robertum, pro baillivo Bithuricensi, xx. s." Account of the King's household, Ascension term, 1234, H. F. XXI. 233 E. The date of the entry is March 24 or thereabouts, but there is no indication when the service was performed or just what its purpose was. The King had been at Bourges late in February and perhaps into March (H. F. XXII. xxxv).

secure peace between the kings of France and England,¹ and wrote to him on behalf of Florentine merchants who had been accused of heresy;² and in the following year he was restored to more active service.

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¹ Bull of November 6, Auvray, 2185.

² Bull *Accurri* of November 23, "priori et fratri Roberto de ordine Predicatorum Parisiensibus," Auvray, 2221 (Potthast, 9772, following Ripoll, has "fratri Raynerio"). There is also a bull of November 20, 1234 ("Relatum est auribus") relating to Florentine merchants which is addressed "Fratri R." in the text of Ripoll (*Bullarium Ordinis Praedicatorum*, I. 71, No. 115; Potthast, 9766) and Auvray (No. 2216), but reads "Fratri Roberto ordinis Predicatorum Parisius" in the *Analecta Ordinis Fratrum Praedicatorum*, IV. 383.